

**United States Bankruptcy Court
District of South Carolina (Columbia)**

IN RE:

O'tasha L. Morgan,

Debtor(s).

CHAPTER 13
CASE NO.: 16-06187-jw

**NOTICE OF MOTION/APPLICATION AND
OPPORTUNITY FOR HEARING**

TAKE NOTICE that **Federal National Mortgage Association ("Fannie Mae")** has moved for a modification of the 11 U.S.C. §1301 stay against the co-debtor (who has not filed for relief under the Bankruptcy Code) named in the attached motion.

TAKE FURTHER NOTICE that any response, return and/or objection to the motion, should be filed with the Clerk of the Bankruptcy Court no later than fourteen (14) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this motion or application unless a response, return and/or other objection is timely filed and served, in which case, the Court will conduct a hearing on February 21, 2018 at 9:00 A.M. **at the J. Bratton Davis U.S. Bankruptcy Courthouse, 1100 Laurel Street, Columbia, SC 29201.** No further notice of this hearing will be given.

/s/ Jason D. Wyman

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Columbia, South Carolina
Dated: January 16, 2018

Address of Court:

J. Bratton Davis
United States Bankruptcy Court
1100 Laurel Street
Columbia, SC 29201-2423

- The minimum time period for response, return and/or an objection to claim is thirty (30) days. See Bankruptcy Rule 3007.
- The minimum time period for response, return and/or an objection to application for final decree in chapter 11 case is thirty (30) days.
- The minimum time period for response, return and or an objection to a motion to avoid lien or motion to establish value is twenty-eight (28) days
- The minimum time period for response, return and/or an objection to all other motions/applications is twenty-one (21) days.

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CASE NO.: 16-06187-jw

MOTION TO MODIFY STAY

AS TO CO-DEBTOR

Federal National Mortgage Association (“Fannie Mae”), by and through its undersigned counsel, move the Court pursuant to 11 U.S.C. § 1301(c) for modification of the automatic stay as to a co-debtor in this case and represents as follows:

1. The above-named Debtor filed a petition for relief under Chapter 13 of the United States Bankruptcy Code on December 7, 2016.
2. William Stephenson, Jr. is the Trustee of the debtor's estate.
3. **Federal National Mortgage Association (“Fannie Mae”)** is the holder of a secured claim against the debtor. Morris H. Morgan is an individual who is liable with the debtors on such consumer debt as co-maker thereof. His signature appears on the note and mortgage attached to the Motion for Relief filed simultaneously.
4. The debtor has failed to make the regular mortgage payments outside of the Chapter 13 Plan.

Federal National Mortgage Association (“Fannie Mae”), which is suffering irreparable harm and injury by the continuation of the co-debtor stay, is therefore entitled to a lifting of the automatic stay as to the co-debtor, Morris H. Morgan, for collection of the debt in question herein.

WHEREFORE, pursuant to 11 U.S.C. § 1301(c), **Federal National Mortgage Association (“Fannie Mae”)** hereby moves for an Order modifying the automatic stay to permit actions against the co-debtor, Morris H. Morgan, with regards to its secured claim against the debtors and Morris H. Morgan, co-debtor.

/s/ Jason D. Wyman

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